

**AN ORDINANCE AND CHARTER AMENDMENT  
BY COMMITTEE ON COUNCIL**

**AN ORDINANCE AND CHARTER AMENDMENT BY COMMITTEE ON COUNCIL ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, p. 298, ET SEQ.) AS AMENDED, TO AMEND SECTION 2-402 (ENTITLED "INTRODUCTION, CONSIDERATION, PASSAGE, AND PUBLICATION OF LEGISLATION") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P. 4469, ET SEQ.) APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO CLARIFY THE NUMBER OF VOTES BY COUNCILMEMBERS REQUIRED TO EFFECTUATE AN ACTION OF THE CITY COUNCIL; TO REPEAL CONFLICTING ORDINANCES AND CHARTER AMENDMENTS; AND FOR OTHER PURPOSES.**

**WHEREAS**, from time to time, confusion arises as to the number of councilmember votes required to effectuate the various actions of the Atlanta City Council; and,

**WHEREAS**, an amendment to City Charter Section 2-402 is necessary to clarify this confusion.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:**

**Section 1:** Section 2-402. of the City Charter, entitled "Introduction, consideration, passage, and publication of legislation." Which currently provides as follows:

(a) Every proposed ordinance and every amendment shall embrace one subject which shall be clearly expressed in its title.

(b) No ordinance shall be passed and adopted until it has been read by title at two regular meetings not less than one week apart, except for emergency ordinances as provided in subsection (c) herein.

(c) To meet a public emergency threatening life, health, property, or public safety, the requirement herein for ordinances may be dispensed with, and the emergency ordinance may be passed and adopted on the same day of its introduction. The emergency ordinance shall be in the

form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and contain a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or it may be rejected at the meeting at which it is introduced, but the affirmative vote of two-thirds of the members of the city council shall be required for adoption. Any emergency ordinance shall become effective upon adoption or at such later time as specified within the ordinance. Every emergency ordinance shall be automatically repealed on the sixteenth day following the date on which it was adopted; however, should the emergency still persist, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance also may be repealed by adoption of a repealing ordinance in the same manner specified in this section for the adoption of emergency ordinances.

(d) The passage of all ordinances shall be contingent upon the recording in the minutes of council proceedings of the "ayes" and "nays" of each councilmember and the names of the members voting for and against each proposed ordinance or amendment, those abstaining, and those absent.

(e) Within seven days after any ordinance has been introduced, excluding emergency ordinances, the caption or title of every such ordinance, showing its general contents, shall be published and disseminated at least once in the following places and forums:

(1) At least one printed legible copy of such caption or title shall be made available for inspection by the public in the office of the municipal clerk;

(2) At least one electronic legible copy of such caption or title shall be published in readable form on the official city of Atlanta web site.

Copies of all ordinances shall be available for inspection and/or purchase by members of the public in the office of the municipal clerk in accordance with the provisions of the Georgia Open Records Act, as amended.,

**Is hereby amended by creating a new subsection (e) which shall provide as follows:**

**(e) Pursuant to Section 2-101 of this Charter, the membership of the Atlanta City Council shall consist of fifteen (15) representatives.**

**The affirmative vote of a quorum of the City Council's total membership, which is eight (8) votes, shall be required for the passage of any ordinance, resolution, communication, or other city council legislation, or for action on any matter of parliamentary procedure, with the following exceptions: (i) where this Charter or Code of Ordinances requires a two-thirds (2/3) vote of the City Council, ten (10) votes shall be required to effectuate any such action; and (ii) in the event the total number of Councilmembers is reduced to less than eight (8) members, a quorum of the number of members remaining shall be required for the passage of the above-referenced legislative actions until such time as the total membership of the City Council is restored.**

**And by re-lettering the current subsection (e) as subsection (f), so that when amended, Section 2-402 shall provide as follows:**

(a) Every proposed ordinance and every amendment shall embrace one subject which shall be clearly expressed in its title.

(b) No ordinance shall be passed and adopted until it has been read by title at two regular meetings not less than one week apart, except for emergency ordinances as provided in subsection (c) herein.

(c) To meet a public emergency threatening life, health, property, or public safety, the requirement herein for ordinances may be dispensed with, and the emergency ordinance may be passed and adopted on the same day of its introduction. The emergency ordinance shall be in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and contain a declaration stating that an emergency exists and describing the emergency in clear and specific terms. An emergency ordinance may be adopted with or without amendment, or it may be rejected at the meeting at which it is introduced, but the affirmative vote of two-thirds of the members of the city council shall be required for adoption. Any emergency ordinance shall become effective upon adoption or at such later time as specified within the ordinance. Every emergency ordinance shall be automatically repealed on the sixteenth day following the date on which it was adopted; however, should the emergency still persist, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance also may be repealed by adoption of a repealing ordinance in the same manner specified in this section for the adoption of emergency ordinances.

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(f) Within seven days after any ordinance has been introduced, excluding emergency ordinances, the caption or title of every such ordinance, showing its general contents, shall be published and disseminated at least once in the following places and forums:

(1) At least one printed legible copy of such caption or title shall be made available for inspection by the public in the office of the municipal clerk;

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**Section 2:**All ordinances and charter amendments or parts of ordinances and charter amendments in conflict herewith, are hereby repealed.